

HEARS DEATH WARRANT FOR EIGHTH TIME

Remarkable Case of Ervin Pope,
an Alabama Negro, Convict-
ed on Murder Charge

NERVE IS NOT SHAKEN

Nothing Short of Executive Clem-
ency Can Save Him From
Hanging Aug. 21

Anniston, Ala., July 15.—Probably without a parallel in the annals of American courts is the remarkable case of Ervin Pope, the Alabama negro who has just appeared in court and for the eighth time listened to the reading of the death warrant and heard the date set for his execution. For five years the negro has been in jail under conviction for the murder of J. B. McClurkin, a white man living near the town of Oxford. He has been convicted and sentenced to hang five times; the case has been before the supreme court and reversed four times, and eight different days have been set for the execution. Through it all the negro's nerve has never been shaken. From the day of his arrest he has maintained his innocence of the crime charged against him and has expressed confidence in his ultimate acquittal. The murder of McClurkin occurred on the night of April 19, 1909. About midnight the victim was awakened by the noise of someone robbing his cotton gin. He got up, saddled his mule and followed the robber's wagon toward Oxford. The next morning his body was found horribly mutilated in a cotton patch on the edge of the town. In an alley in a negro settlement he had evidently been hit in the head with a heavy club, and his skull beaten in with a large stone.

Only Circumstantial Evidence.
Ervin Pope lived in the town of Oxford about a mile from where the body was found. He owned a little farm in the country and also ran a little restaurant in town. It was proved that on the afternoon preceding the murder Pope was at the mill owned and operated by McClurkin and had exchanged corn for meal. The principal witness for the state was a negro, John Body, in front of whose door the murder was committed. Body testified that on the night of the murder he was awakened by the sound of screams and blows in the alley. He claimed to have gone to the door, opened it and looked out, and swore that he saw two men struggling and heard a voice say, "Ervin, Ervin." A blacksmith testified that he discovered the track of a wagon leading from the scene of the murder to Pope's house. Later a pair of shoes said to show traces of blood were found in an out-house in Pope's yard. On this evidence, all of it circumstantial, the negro was tried and convicted.

Another Negro Is Released.
John Body, the negro in front of whose house the murder was committed, was arrested and held on suspicion. After Pope's conviction, Body was released. He immediately abandoned his crop and family and ran off, and all trace of him has been lost. The state and the defense have both made efforts to find him, but they have failed.

The lawyers for Pope have contended from the start that Body was the guilty man. Their theory is based on the seeming improbability of Body's story; on the fact that the murder was in front of Body's door; that the club with which McClurkin was killed came from a wood pile in Body's yard; that the murderer had taken pains to drag the body away from Body's door; that Pope had no one-horse wagon, while Body had a wagon which exactly corresponded to the tracks found at the scene of the crime; that barefoot tracks were found at the scene of the murder, as if Body had gotten out of bed and committed the murder; and that the cotton seed which was stolen from McClurkin's gin on the night of the killing was found in an out-house just back of Body's house.

New Trials Are Ordered.
At the first trial the court permitted a negro witness to describe his own conduct and actions as proof that Pope was guilty. The supreme court held that this was an unfair and improper way to proceed against the accused and ordered a new trial. The second appeal was granted on the ground that the defendant had a right to have Body's guilt considered by the jury, and that the state could not introduce illegal evidence to clear Body. By a singular accident, the court repeated at the third trial the identical error it had committed at the second trial and this resulted in the third re-

SOME MORE "GOVERNMENT BY CONVULSION"



BUTTE WILL FIGHT FEDERATION CLAIM

Will Base Defense on Declaration
That Miners Blew Up Own Hall

Butte, July 15.—The city of Butte will resist the claim of \$128,291 formally made by the Butte local of the Western Federation of Miners for the destruction of miners' union hall. The city intends fighting to the last ditch the suit which the miners will file. Acting Mayor Smith and Deputy City Attorney Davis are the authorities for the above statements. Each declares that there are circumstances surrounding the destruction of the building which constitute a good legal defense for the city.

Deputy City Attorney Davis added that while there are a number of defenses which the city will set up, one of the principal ones will be that the miners destroyed their own property. "The legal department of the city will do all in its power to resist the claim," declared Deputy Davis. "While these defenses have not been outlined yet, the city attorney's office is already at work preparing for the issue. There is plenty of time for this defense, as the claim made upon the city will have to be referred to a committee and then it will be formally turned down by the city council before the suit is begun by the miners."

The claim upon the city, filed with the city clerk by Attorney Peter Breen will be presented to the council at tonight's meeting. Under the law, all claims must be referred to the judicial committee. Acting Mayor Smith is chairman of this committee. As he has already announced his views on the question, the committee will recommend that the council refuse to pay the claim. After it is rejected it will be up to the Miners' union to bring a damage action in the district court, if they are disposed to press the claim.

ATTACKS BALKAN REPORT.

Greek Charge d'Affaires Says Car-
negie Board Was Unfair.

Washington, D. C., July 15.—A severe attack upon the motives and methods of the Carnegie peace foundation's investigation of the Balkan war atrocities was made by the Greek charge d'affaires, Alexander Vouras, in an official statement. The Vouras statement alleges that the Carnegie foundation's investigators were biased and that the Carnegie commission distorted a telegram of King Constantine of Greece, and that the Carnegie investigators were "under the influence of the Bulgarian propaganda."

versal of the conviction. The verdict found at the fourth trial was reversed by the supreme court on a point of law. On the fifth trial Pope was again convicted and sentenced to hang. The supreme court has now handed down a decision affirming the verdict of the trial court. Nothing short of executive clemency or the discovery of new evidence tending to prove his innocence can now save Pope from the gallows. He is under sentence to be executed on the twenty-first of next month.

SIGHT PROVES A PUZZLE.

Man, Aged 30, Who Sees For First
Time, Learns as a Child.

Stockholm, July 15.—A Swede, 30 years old, who had been blind all his life until recently, when he was operated on successfully for glaucoma by Dr. Akerblom at Falun, is finding the complete revolution in his conception of objects very puzzling.

When he first began to see with one eye it was impossible for him to understand what most of the objects he saw represented. The only thing that really corresponded to his previous conception of it was a tree.

Of the different colors he also seems to have had a fairly good idea, but all other things, and especially the human face, baffle him utterly, and he has great difficulty in distinguishing between the different features of faces, so that he finds it hard to recognize people.

CLEARED MILLION; GUILTY OF USING MAILS TO DEFRAUD

Chicago, July 15.—Abraham H. Freeman, superintendent of agents, Chicago, Frederick Wendler, general manager of the St. Louis office, and seven employees, accused of using the mail to defraud in connection with the Barr-Widener Mercantile agency, were found guilty by a jury before Federal Judge Landis today. The government charged that more than a million was realized by the company.

The government contended the agency would learn the names of creditors of bankrupts, and then send them a letter agreeing to collect the claims, usually suggesting that the bankrupt had concealed assets. Large fees were received and the creditors got little in return.

Freeman and Wendler were declared to be the chief offenders. The trial occupied several weeks and witnesses from many states testified. The Barr-Widener agency was formed in 1901 by James Barr and Joseph Widener, and at first it was said it was a legitimate collection agency, but according to the government as soon as Wendler and Freeman came into the firm charges were made against it.

An investigation was conducted by the postoffice inspector in Chicago and Widener's suicide followed the first efforts of the government to get the facts. He took poison on his mother's grave in a St. Louis cemetery.

BULL ON RAMPAGE INVADERS FRISCO APARTMENT HOUSE

San Francisco, Calif., July 15.—Hotly pursued by a vaquero, a bull, which broke loose from a bunch of cattle being unloaded early today, galloped up Nob Hill into the thick of the fashionable apartment houses, turned off into Pine street and butted into an apartment house, wrecking the door. Once inside there seemed no turning back, and to the amazement and terror of the tenants the animal kept on up three flights of stairs, butting in doors wherever the turn was too sharp. On the fourth floor the vaquero cornered the bull, but it was necessary to back him into a lady's bed chamber before he could be turned around and led down stairs.

LLOYDS LOOK FOR SHAMROCK'S DEFEAT

Estimate Three to One Against
Thomas Lipton's Challenger

Gasport, Eng., July 15.—Everything is ready for the departure July 18 for the United States of Shamrock IV, Sir Thomas Lipton's challenger for the America's cup. Lipton's steam yacht Erin will convey her across the Atlantic.

"Shamrock IV has done all that has been asked of her," is the final word of Designer Nicholson.

The underwriters at Lloyd's are not so optimistic, however. Their estimate was three to one against the challenger. In other words they are issuing policies at a premium of 25 per cent to pay the total loss if the Shamrock is successful. A similar risk in connection with the aeroplane flight across the Atlantic during the present year is being covered at eight per cent.

CARPENTIER IS GIVEN GREAT RECEPTION UPON ARRIVAL IN LONDON TO MEET SMITH.

London, July 15.—Georges Carpentier, the French ring champion, who is to meet Gunboat Smith, the American heavyweight, in a 20-round fight at Olympia on Thursday, came to London yesterday. Arriving at Charing Cross, he was given a demonstration that for size and enthusiasm would not have been accorded a popular foreign monarch.

Englishmen and Frenchmen, literally by the thousands, jostled each other in the sweltering heat to catch a glimpse of the champion of France or shake him by the hand. Nero worship ran riot to such an extent that traffic in the Strand was completely blocked.

Carpentier said: "It is a wonderful, magnificent reception. I shall never forget it. I believe that it will be a hard fight. I have been warned of Gunboat Smith's terrible punch, but I can take punishment. My hands are in better condition than when I met Wells, so I can hit harder and I am going to do all I know how to win."

NO CASE AGAINST LIPTON.

Yachtsman Not Involved in Army
Canteen Scandals.

London, July 15.—The attorney general declared today there was no evidence before him to justify the criminal prosecution of Sir Thomas Lipton in connection with the recent army canteen scandals for which several army officers and employees of Lipton, Limited, were convicted on charges of accepting or giving bribes to influence contracts.

Replying to a question by Sir Arthur Markham in the house of commons, the attorney general said proceedings had already been taken in regard to those against whom evidence existed. No such evidence, however, existed against Sir Thomas Lipton.

At the annual meeting of Lipton, Limited, today, Sir Thomas was attacked by a number of shareholders. Sir Thomas in a speech said nobody could attempt to justify the acts of the men who had been implicated in the canteen scandals and nobody deplored them more than he did.

FERRIS WILL BE CANDIDATE FOR GOVERNOR

Issues Statement Declaring That
He Has Decided to Seek
Another Term

HAS STRONG SUPPORT

Has Received Many Telegrams
and Letters From All Parts
of the State

Lansing, Mich., July 15.—Governor Ferris has a last capitulated to the urgent demands of the Democratic leaders of Michigan and his friends throughout the state, an announcement being made from the executive office that he would accept the nomination on the Democratic ticket again this fall.

On numerous occasions the governor declared that he did not want to make the race again and Mrs. Ferris, who is in a critical condition at Big Rapids, urged him to remain out of the fight in order that he might spend as much time as possible with her. Last Friday Governor Ferris said that he would urge the Democratic state central committee at the meeting here to select another candidate, but his private secretary brought a signed statement from Big Rapids in which formal announcement of Ferris's candidacy is made.

The statement follows: "After a careful examination of the petitions for my nomination in the primaries, after receipt of numerous telegrams and letters from all parts of the state, and after due consideration of my home duties and duties to the state, I have decided to become a candidate for nomination as governor. If I am nominated I shall not be able to give a large amount of time to a campaign, because the demands of the executive office will receive my first and chief consideration."

Osborn Issues Statement.
Lansing, Mich., July 15.—Former Governor Chase S. Osborn issued the following statement when informed of Governor Ferris's announcement:

"I am glad Governor Ferris will be a candidate. He is a clean man, and the best the Democrats have to offer. It is the duty of each party to itself and to the public to offer the best. The fight this year will not be against or for any individual. It will be against militant Democracy and for united, potential, efficient Republicanism."

In the last campaign the Republican party sacrificed itself to the individual, to personal passion and almost to malicious politics. The country needs the genius of the Republican party. That party will heed the cry for rescue this year and will offer its best. Consequently Governor Ferris will be defeated and his personal sacrifice to party will be a temporary matter."

LOS ANGELES WINS 1915 CONVENTION OF ELKS.

Denver, Colo., July 15.—Substituting herself for Seattle with quick precision, Los Angeles, with the aid of southern California delegates, swung the annual national reunion of the Benevolent and Protective Order of Elks for 1915 back to the Pacific coast when at the first session of the grand lodge late yesterday it seemed bound eastward to Chattanooga, Tenn., Los Angeles was selected by a vote of 809, Chattanooga receiving 141 votes and Seattle 31.

The annual report of the grand secretary, Frederick C. Robinson, submitted to the grand lodge, showed that 11 new lodges had been instituted in the last year; that the membership totalled 428,479, a net increase in twelve months of 20,352, and that the net assets of the subordinate lodges aggregate \$22,462,805.

KERMIT AND BRIDE HOME.

New York, N. Y., July 15.—Kermit Roosevelt and bride, who was Miss Belle Willard, arrived here today on the Imperator. Mrs. Nicholas Longworth was with them. Col. Roosevelt came to New York today for his weekly visit to the Progressive national headquarters.

EX-MRS. CORREY WEDS AGAIN.

Pittsburg, July 15.—Mrs. Laura Correy, former wife of William E. Correy, former president of the Steel corporation, married Glenn Duckworth, a wealthy music dealer in New York last Friday and sailed for Europe. It was learned today. Correy married Mable Giltman, an actress.

SCOTTISH SECRETARY OF STATE HORSEWHIPPED BY TWO MILITANTS.

London, July 15.—Right Hon. Thomas McKinnon Wood, secretary of state for Scotland, was horsewhipped today by two militant suffragettes, as he was leaving his residence today. The women were arrested.

SEVEN MINERS MEET DEATH AT IRON RIVER

Caught by Quicksand—Months Be-
fore Bodies Can Be Recovered

Iron River, Mich., July 15.—Seven miners were killed in the Balkan mine at Alpha location, near here today, when sliding sand caused a cave-in. Crews of miners are digging for the bodies.

The miners were drilling into the roof. The drill hit quicksand and with a shout the men, about thirty in number, began to rush for the mouth of the tunnel.

Seven were overtaken and killed by the quicksand which filled every crevice in the mine. The seven bodies cannot be taken out for months.

Others ran for their lives, pursued by the sand. One was compelled to shed his clothing. He struggled naked from the mine.

MAY LAND NEW INDUSTRY HERE

Big Western Manufacturing Plant
Seeks Eastern Site

Negotiations which the Copper Country Commercial Club is now conducting with a big western manufacturing plant offer considerable promise of influencing that company to locate an eastern branch manufacturing plant in the copper country, probably in Calumet, and a definite proposal likely will be submitted to that company shortly by local business people.

This concern has only one competitor in manufacturing a product that is used almost as extensively as typewriters and adding machines, and controls patents which undoubtedly give it precedence in its field. It employs 100 skilled mechanics, has an annual payroll of \$100,000 and enjoys a constantly increasing business. At present parts of its product are manufactured under contract and assembled at the factory, but the business has outgrown its present home and as the existing contracts expire, it is planned to bring the entire establishment under one roof.

With this in view a location for a modern manufacturing plant, with a building having plenty of daylight and 35,000 square feet of floor space is required together with enough ground to enable the company to double its capacity in the future. It would require \$38,000 to move the company's machinery here and to secure such additional machinery as would be required, and the officers of the company have written the Commercial Club asking for a proposal, a definite statement as to what club will do in the matter of securing a site and meeting the expense of moving the machinery here. An early answer will be submitted.

NET BEING DRAWN TIGHTER ABOUT MRS. EDWIN CARMAN

Minneapolis, N. Y., July 15.—The grand jury, from which two members withdrew because of friendship for the Carman family, resumed today its deliberations in the case of Mrs. Florence Carman, held in jail for the murder of Mrs. Louise Bailey in the office of Dr. Edwin Carman at Freeport. It is expected the jury will complete its work today.

A subpoena has been issued for Mrs. Ellen Corby, niece of Mrs. Carman. It is understood she is one of the two women sought since the murder as having been in the doctor's waiting room and who died when they heard the shot. It was learned today that Celia Coleman, Carman's negro maid, told the grand jury yesterday that Mrs. Carman hurried through the kitchen from the back yard immediately after the shot that killed Mrs. Bailey. The maid, it is understood, said Mrs. Carman wore a kimono at the time. Mrs. Carman herself has said she wore a kimono but insisted she was in her bedroom.

The last witness before the jury was Frank Farrell, a tramp, who went to the back door of the Carman house the night of the murder to ask for food. It is understood Farrell's story corroborated in general the account given yesterday by Celia Coleman.

HUERTA MAY LEAD TROOPS IN LAST STAND

Just What His Plans Are, How-
ever, Is Matter of Specula-
tion in Washington

VILLA TO MOVE SOUTH

Rebels Continue Preparations to
Push Campaign Against
Mexico City

Washington, July 15.—With Huerta's family and several close friends in flight today from Mexico City, the resignation of the dictator is expected at any time by the state department and diplomatic corps in Washington. In some quarters, however, the view is expressed that Huerta might hold out longer and that the departure of his relatives meant only that he was preparing to make a final desperate stand against the advancing Constitutionalists, commanding his troops in person.

Carranza's forces continued preparations to press the campaign against Mexico City. Some officials expressed the belief that the Constitutionalists will be in Mexico City within a few weeks, regardless of the action of the Huerta government.

Huerta as Calm as Ever.
Mexico City, July 15.—Huerta was about the principal streets of the capital this morning and at 11 o'clock went as usual to a barber shop in front of the cable office to be shaved.

Carranza May Lead Troops.
Monterrey, July 15.—It is announced here that Carranza is considering taking personal command of the troops in the south.

Villa Soon to Go South.
El Paso, Texas, July 15.—General Villa and staff arrived at Juarez today to spend a few days on the border. Villa is expected to return south and have his entire army moving toward Mexico City within eight days.

Special Trains to Puerto.
Veracruz, July 15.—Two special trains conveying the families of Huerta and General Blanquet and others from Mexico City to the coast, were reported to have arrived at Orizaba this morning. It is believed they will proceed to Puerto, Mexico, where a Dutch cruiser will be boarded.

Guaymas Is Being Evacuated.
Matamoros, July 15.—The evacuation of Guaymas was begun yesterday, according to reports from Admiral Howard. The first preliminary step began with the embarking of horses and cattle on the steamer Benito Juarez.

Two French Citizens Killed.
Washington, July 15.—The killing of the director and the inspector of the school of the Christian Brothers at Zacatecas, Mexico, and the imprisonment of eleven other members of the order, all French citizens, was reported to Wilson today by Brother Clementine, a member of the order. The president was asked to take steps to have the imprisoned men freed and prevent threatened similar occurrences at Saltillo, Mexico City and other places where schools are maintained. A similar petition was sent to the French government.

Rebels Ready to Enter Capital.
El Paso, July 15.—In case of a sudden fall of the Huerta government constitutionalist troops are in a position to enter Mexico City within a few hours, according to revolutionary agents here. This would prevent, they declared, the much feared reign of disorder at the national capital before the Carranza government could be established to maintain order.

It already has been arranged, it was said, that the troops under General Aguilar would be the first to reach the city. His 4,000 troops are deployed between Tuxpan and Orizaba in the Vera Cruz district and it was asserted, would be in a position to reach Mexico City within 12 hours. Probably the second group of troops to reach the national capital would be the army under General Obregon, which recently took Guadalajara.

The division under General Villa, which has moved north into Chihuahua, could not reach Mexico City for several weeks.

ANTI-SOCIALIST LEAGUE.

The members of the Finnish Anti-Socialist league of Calumet have been advised of a big Anti-Socialist demonstration which is planned by the South Range league, to be held the latter part of July or early in August at a date to be announced later. Both the Calumet and Hancock branches of the league will be invited to participate and will charter a special train to make the trip.